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8 CARLOS GUERRERO-ELENES

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 v.  
15 CARLOS GUERRERO-ELENES,  
16 Defendant.

Case No.: CR 16-0469 MMC

**STIPULATION AND [PROPOSED] ORDER RE  
CONTINUANCE OF AUGUST 30, 2017 HEARING**

17 This matter is currently set for a status/possible change of plea hearing on August 30,  
18 2017. The defense is on track to resolve this matter by way of an open plea. However, the  
19 defense requires additional time to resolve additional and necessary issues prior to the entry of  
20 a plea. A mental health expert has been appointed through the Criminal Justice Act and has  
21 made an initial visit to, and examination of, the defendant. Additional time is necessary for the  
22 expert to complete his examination and analysis.

23  
24 Based on the foregoing, defense counsel requests, the government agrees, and the  
25 parties jointly stipulate that the hearing in this matter should be continued to October 11, 2017,

at 2:15 p.m., to allow for the effective preparation of counsel. The parties further agree and stipulate that the time from August 30, 2017, through and including October 11, 2017, may be time excluded from the Speedy Trial Act, in order to ensure the reasonable time necessary for effective preparation of counsel, pursuant to Title 18, United States Code Sections 3161(b), (h)(7)(A), (h)(7)(B)(iv).

Additionally, the parties request and stipulate that the supervised release matter, CR 07-0645 MMC, that is trailing this case, also be continued to October 11, 2017.

SO STIPULATED.

Respectfully submitted,

BRIAN J. STRETCH  
United States Attorney

Dated: August 11, 2017

\_\_\_\_\_/s/\_\_\_\_\_  
SAMANTHA SCHOTT  
Special Assistant United States Attorney

Dated: August 11, 2017

/s/


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EDWIN PRATHER  
PRATHER LAW OFFICES  
Attorneys for Defendant  
CARLOS GUERRERO-ELENES

**~~[PROPOSED]~~ ORDER**

GOOD CAUSE APPEARING and per the parties' stipulation, IT IS HEREBY ORDERED that the status/possible change of plea hearing on August 30, 2017, be continued to October 11, 2017, at 2:15 p.m. The time from August 30, 2017, through and including October 11, 2017, shall be time excluded from the Speedy Trial Act, in order to ensure the reasonable time necessary for effective preparation and continuity of counsel, pursuant to Title 18, United States Code Sections 3161(b), (h)(7)(A), (h)(7)(B)(iv). The supervised release matter, CR 07-0645 MMC, currently set for August 30, 2017, shall also be continued to October 11, 2017, at 2:15 pm.

Dated: August 14, 2017

  
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THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES SENIOR DISTRICT JUDGE